

FIRST REGULAR SESSION

SENATE BILL NO. 649

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SMITH.

Read 1st time February 28, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2486S.011

AN ACT

To repeal sections 8.800, 8.810, 8.812, 8.815, and 324.418, RSMo, and to enact in lieu thereof ten new sections relating to environmentally sustainable building design and construction.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 8.800, 8.810, 8.812, 8.815, and 324.418, RSMo, are
2 repealed and ten new sections enacted in lieu thereof, to be known as sections
3 8.800, 8.810, 8.812, 8.815, 8.852, 135.032, 161.360, 324.418, 327.412, and 640.157,
4 to read as follows:

8.800. As used in sections 8.800 to [8.825] **8.852**, the following terms
2 mean:

3 (1) "Builder", the prime contractor that hires and coordinates building
4 subcontractors or if there is no prime contractor, the contractor that completes
5 more than fifty percent of the total construction work performed on the
6 building. Construction work includes, but is not limited to, foundation, framing,
7 wiring, plumbing and finishing work;

8 (2) "Department", the department of natural resources;

9 (3) "Designer", the architect, engineer, landscape architect, builder,
10 interior designer or other person who performs the actual design work or is under
11 the direct supervision and responsibility of the person who performs the actual
12 design work;

13 (4) "District heating and cooling systems", heat pump systems which use
14 waste heat from factories, sewage treatment plants, municipal solid waste
15 incineration, lighting and other heat sources in office buildings or which use
16 ambient thermal energy from sources including temperature differences in rivers

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 to provide regional heating or cooling;

18 (5) "Division", the division of design and construction;

19 (6) "Energy efficiency", the increased productivity or effectiveness of
20 energy resources use, the reduction of energy consumption, or the use of
21 renewable energy sources;

22 (7) "Gray water", all domestic wastewater from a state building except
23 wastewater from urinals, toilets, laboratory sinks, and garbage disposals;

24 (8) **"LEED certification", certification issued by the United States
25 Green Building Council under the Leadership in Energy and
26 Environmental Design Green Building Rating System;**

27 (9) "Life cycle costs", the costs associated with the initial construction or
28 renovation and the proposed energy consumption, operation and maintenance
29 costs over the useful life of a state building or over the first twenty-five years
30 after the construction or renovation is completed;

31 [(9)] (10) "Public building", a building owned or operated by a
32 governmental subdivision of the state, including, but not limited to, a city, county
33 or school district;

34 [(10)] (11) "Renewable energy source", a source of thermal, mechanical
35 or electrical energy produced from solar, wind, low-head hydropower, biomass,
36 hydrogen or geothermal sources, but not from the incineration of hazardous
37 waste, municipal solid waste or sludge from sewage treatment facilities;

38 [(11)] (12) "State agency", a department, commission, authority, office,
39 college or university of this state;

40 [(12)] (13) "State building", a building owned by this state or an agency
41 of this state.

8.810. 1. In addition to all other requirements imposed by law, the
2 director of the division shall require, for construction of a state building or
3 substantial renovation of an existing state building when major energy systems
4 are involved, that a design professional submit an analysis which meets the
5 design program's space and use requirements and reflects the lowest life cycle
6 cost possible in light of existing commercially available technology. The analysis,
7 using existing commercially available technology, shall include, but shall not be
8 limited to, designs which use renewable energy sources, earth-sheltered
9 construction, systems to recover and use waste heat, thermal storage heat pump
10 systems, ambient thermal energy, district heating and cooling systems, devices
11 to reduce water consumption, and plumbing systems to recover gray water for

12 appropriate reuse.

13 **2. Notwithstanding any provision of law to the contrary, after**
14 **July 1, 2009, all newly constructed or substantially renovated state**
15 **buildings encompassing greater than five thousand square feet of space**
16 **shall at minimum meet the silver rating level of LEED project**
17 **certification, as "silver rating" is defined in section 135.032, RSMo. To**
18 **meet the requirement, the certification shall:**

19 **(1) Be consensus-based;**

20 **(2) Be third-party certified;**

21 **(3) Have established and met minimum thresholds; and**

22 **(4) Include prerequisites across all categories.**

23 **3.** The director of the division shall not let a contract after January 1,
24 1996, for construction of a state building or substantial renovation of an existing
25 state building when major energy systems are involved before completing an
26 evaluation of the design documents and construction documents based upon life
27 cycle cost factors and the minimum energy efficiency standard established in
28 subsection 1 of section 8.812.

 8.812. 1. By January 1, 1995, the department, in consultation with the
2 division and the voluntary working group created in subsection 1 of section 8.815,
3 shall establish, by rule, a minimum energy efficiency standard for construction
4 of a state building, substantial renovation of a state building when major energy
5 systems are involved or a building which the state or state agency considers for
6 acquisition or lease. Such standard shall be at least as stringent as the American
7 Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE)
8 Standard 90, latest revision.

9 **2. By July 1, 2008, the department in consultation with the**
10 **division and the voluntary working group created in subsection 1 of**
11 **section 8.815, shall establish, by rule, procedures for obtaining LEED**
12 **certification, as required in subsection 2 of section 8.810 for**
13 **construction of a state building or substantial renovation of a state**
14 **building when such building is greater than five thousand square feet.**

15 **3.** All design which is initiated on or after July 1, 1995, for construction
16 of a state building or substantial renovation of a state building when major
17 energy systems are involved or any building which the state or state agency
18 considers for acquisition or lease after July 1, 1995, shall meet applicable
19 provisions of the minimum energy efficiency standard.

8.815. The department and the division shall establish a voluntary
2 working group of persons and interest groups with expertise in energy efficiency,
3 including, but not limited to, such persons as electrical engineers, mechanical
4 engineers, builders, architects, landscape architects, nonprofit organizations, and
5 persons with expertise in solar and renewable energy forms. The voluntary
6 working group shall advise the department on the development of the energy
7 efficiency standard **and LEED certification** and shall assist the department in
8 implementation of the standard **and procedures to obtain certification** by
9 recommending, reviewing and coordinating education programs for designers,
10 builders, businesses and other interested persons [to facilitate incorporation of
11 the standard into existing practices].

8.852. **On or after July 1, 2015, at least ten percent of the**
2 **electricity used by a state building shall come from a renewable energy**
3 **source or sources. On and after July 1, 2025, at least twenty percent of**
4 **the electricity used by a state building shall come from a renewable**
5 **energy source or sources.**

135.032. 1. **This section shall be known and may be cited as the**
2 **"Green Building Tax Credit".**

3 **2. As used in this section the following terms mean:**

4 **(1) "Applicant", a taxpayer who is either the owner or contract**
5 **purchaser of a building, and is applying for a green building tax credit**
6 **for the building;**

7 **(2) "Base building", all areas of a building not intended for**
8 **occupancy by a tenant or owner, including, but not limited to, the**
9 **structural components of the building, exterior walls, floors, windows,**
10 **roofs, foundations, chimneys and stacks, parking areas, mechanical**
11 **rooms and mechanical systems, and owner-controlled and/or operated**
12 **service spaces, sidewalks, main lobby, shafts and vertical**
13 **transportation mechanisms, stairways, and corridors;**

14 **(3) "Commissioning", the process of verifying and ensuring that**
15 **the entire building and the systems within are designed, constructed,**
16 **functionally tested, and calibrated to operate as intended;**

17 **(4) "Credit allowance year", the year as stated on the preliminary**
18 **credit certificate by the director;**

19 **(5) "Department", the department of economic development;**

20 **(6) "Director", the director of the department of economic**
21 **development;**

22 (7) "Economic development area", an economic development area
23 as defined under section 99.805, RSMo;

24 (8) "Eligible building", a building located within the state, which
25 is:

26 (a) A residential multi-family building with at least four
27 habitable stories that contain at least ten thousand square feet of
28 interior space;

29 (b) One or more residential multi-family buildings with at least
30 four habitable stories that are part of a single or phased construction
31 project that contains, in the aggregate, at least twenty thousand square
32 feet of interior space, provided that, in any single phase of such
33 project, at least ten thousand square feet of interior space is under
34 construction or rehabilitation;

35 (c) A building used for commercial or industrial purposes; or

36 (d) Any combination of buildings described in paragraphs (a) to
37 (c) of this subdivision;

38 (9) "Energy and Atmosphere Credit Number One", the credit
39 awarded by the Leadership in Energy and Environmental Design
40 (LEED) Green Building Rating System, which requires increased energy
41 performance above the standard as defined in the most current version
42 of the LEED-NC or LEED-EB rating system;

43 (10) "Energy and Atmosphere Credit Number Three", the credit
44 awarded by the LEED Green Building Rating System, which requires
45 additional commissioning above the fundamental commissioning
46 prerequisite as defined in the most current version of the LEED-NC or
47 LEED-EB rating system;

48 (11) "Gold rating", the rating in compliance with, or exceeding,
49 the second highest rating awarded by the USGBC LEED certification
50 process;

51 (12) "Green base building", a base building that meets all
52 requirements in the most current version of the U.S. Green Building
53 Council's Leadership in Energy and Environmental Design Rating
54 System for Core and Shell;

55 (13) "Green building" or "high-performance building", a building
56 that is designed to achieve integrated systems design and construction
57 so as to significantly reduce or eliminate the negative impact of the
58 built environment on the following:

- 59 **(a) Site conservation and sustainable planning;**
60 **(b) Water conservation and efficiency;**
61 **(c) Energy efficiency and renewable energy;**
62 **(d) Conservation of materials and resources; and**
63 **(e) Indoor environmental quality and human health;**
64 **(14) "Green tenant space", a tenant space as defined under**
65 **subdivision (22) of this section that meets all requirements in the most**
66 **current version of the U.S. Green Building Council's Leadership in**
67 **Energy and Environmental Design Rating System for Commercial**
68 **Interiors;**
69 **(15) "Green whole building", a whole building that meets all**
70 **requirements in the most current version of the U.S. Green Building**
71 **Council's Leadership in Energy and Environmental Design Rating**
72 **System for New Building Construction and Major Renovations (LEED-**
73 **NC), as amended from time to time, or which meets all requirements in**
74 **the most current version of the U.S. Green Building Council's**
75 **Leadership in Energy and Environmental Design Rating System for**
76 **Existing Buildings;**
77 **(16) "LEED-CI" or "LEED Green Building Rating System Version**
78 **LEED-CI", the most current Leadership in Energy and Environmental**
79 **Design Green Building Rating System guidelines developed and**
80 **adopted by the United States Green Building Council for commercial**
81 **interiors;**
82 **(17) "LEED-CS" or "LEED Green Building Rating System Version**
83 **LEED-CS", the most current Leadership in Energy and Environmental**
84 **Design Green Building Rating System guidelines developed and**
85 **adopted by the United States Green Building Council for the core and**
86 **shell of buildings otherwise known as the base building;**
87 **(18) "LEED-EB" or "Green Building Rating System Version LEED-**
88 **EB", the most current Leadership in Energy and Environmental Design**
89 **Green Building Rating System guidelines developed and adopted by the**
90 **United States Green Building Council for existing buildings;**
91 **(19) "LEED-NC" or "LEED Green Building Rating System Version**
92 **LEED-NC", the most current Leadership in Energy and Environmental**
93 **Design Green Building Rating System developed and adopted by the**
94 **United States Green Building Council for new buildings and major**
95 **renovations;**

96 (20) "Platinum rating", the rating in compliance with, or
97 exceeding, the highest rating awarded by the USGBC LEED
98 certification process;

99 (21) "Silver rating", the rating in compliance with, or exceeding,
100 the third highest rating awarded by the USGBC LEED certification
101 process;

102 (22) "State tax liability", in the case of a business taxpayer, any
103 liability incurred by such taxpayer pursuant to the provisions of
104 chapters 143, 147, 148, and 153, RSMo, excluding sections 143.191 to
105 143.265, RSMo, and related provisions, and in the case of an individual
106 taxpayer, any liability incurred by such taxpayer pursuant to the
107 provisions of chapter 143, RSMo, excluding sections 143.191 to 143.265,
108 RSMo, and related provisions;

109 (23) "Tenant space", the portion of a building intended for
110 occupancy by a tenant or occupying owner;

111 (24) "United States Green Building Council" or "USGBC", the
112 specific council which measures and evaluates the energy and
113 environmental performance of a building according to its own
114 Leadership in Energy and Environmental Design rating system;

115 (25) "Whole building", the entire building, as comprised of the
116 base building and tenant space.

117 3. (1) The green building tax credit shall be available to a
118 taxpayer for:

119 (a) Either the construction of a green building or the
120 rehabilitation of a building, which is not a green building, into a green
121 building;

122 (b) The construction or rehabilitation of a base building, which
123 is not a green base building, into a green base building; or

124 (c) The construction or rehabilitation of a tenant space, which
125 is not green tenant space, into green tenant space.

126 (2) A taxpayer may apply for a green building tax credit
127 provided that the facility subject to the green building tax credit is
128 located within the state and the applicant will be the owner or contract
129 purchaser of the facility at the time of erection, construction,
130 installation, or acquisition of the proposed facility.

131 (3) If a credit is allowed to a building owner pursuant to this
132 section with respect to property, and such property or an interest

133 therein is sold, the credit for the period after the sale, which would
134 have been allowable under this section to the prior owner, shall be
135 allowable to the new owner. Credit for the year of sale shall be
136 allocated between the parties on the basis of the number of days during
137 such year that the property or interest was held by each.

138 (4) If a credit is allowed to a tenant pursuant to this section with
139 respect to property, and if such tenancy is terminated but such
140 property remains in use in the building by a successor tenant, the
141 credit for the period after such termination, which would have been
142 allowable under this section to the prior tenant, shall be allowable to
143 the successor tenant. Credit for the year of termination shall be
144 allocated between the parties on the basis of the number of days during
145 such year that the property was used by each.

146 (5) Notwithstanding any other provision of law to the contrary,
147 in the case of allowance of credit under this section to a successor
148 owner or tenant, as provided in subdivision (3) or (4) of this subsection,
149 the director shall have the authority to reveal to the successor owner
150 or tenant any information, with respect to the credit of the prior owner
151 or tenant, which is the basis for the denial in whole or in part of the
152 credit claimed by such successor owner or tenant.

153 4. A taxpayer is eligible for a green building tax credit against
154 a state tax liability provided that they comply with the requirements
155 of subsection 5 of this section and provided that the building owned or
156 occupied meets the requirements of an eligible building as set forth in
157 subdivision (8) of subsection 2 of this section. The amount of the credit
158 shall be determined pursuant to subsection 6 of this section.

159 (1) The credit amount shall be the sum of the following credit
160 components, whichever are applicable:

161 (a) Green Whole-Building Credit Component - The green whole-
162 building credit component shall be available to a taxpayer, whether
163 owner or tenant, for either the construction of a green building or the
164 rehabilitation of a building, which is not a green whole building, into
165 a green whole building. The green whole-building credit component
166 may not be allowed for any taxable year unless all the requirements
167 under subsection 5 of this section are met, and the whole building
168 achieves a Silver, Gold, or Platinum rating as approved by the LEED-
169 NC Green Building Rating System, as amended from time to time, or the

170 most recent version, for a new building and for major renovations; or,
171 LEED Green Building Rating System Version LEED-EB, or the most
172 recent version, for an existing building;

173 (b) Green Base Building Credit Component - The green base
174 building credit component shall be available to a taxpayer who is the
175 owner for either the construction of a green building or the
176 rehabilitation of a building, which is not a green base building, into a
177 green base building. The green base building credit component may
178 not be allowed for any taxable year unless all the requirements under
179 subsection 5 of this section are met, and the base building achieves a
180 Silver, Gold, or Platinum rating as approved by the LEED-CS Green
181 Building Rating System, or the most recent version thereof;

182 (c) Green Tenant Space Credit Component - The green tenant
183 space credit component shall be available to a taxpayer, whether owner
184 or tenant, for constructing tenant space or rehabilitating tenant space,
185 which is not green tenant space, into green tenant space. The green
186 tenant space credit component may not be allowed for any taxable year
187 unless all the requirements under subsection 5 of this section are met,
188 and the tenant space achieves a Silver, Gold, or Platinum rating as
189 approved by the LEED-CI Green Building Rating System, or the most
190 recent version thereof.

191 (2) For each component eligible to receive credit, such credit
192 component amount shall not exceed the maximum amount specified in
193 the preliminary certificate issued pursuant to subsection 8 of this
194 section.

195 5. (1) The green building tax credit may not be allowed for any
196 taxable year unless all of the following are met:

197 (a) The whole building, base building, or tenant space has
198 achieved a Silver, Gold, or Platinum rating as approved by the
199 applicable and most recent LEED Green Building Rating System as
200 determined under subsection 4 of this section;

201 (b) In achieving its LEED rating, the whole building, base
202 building, or tenant space must earn at least four LEED points for
203 Energy and Atmosphere Credit Number One, or the equivalent points
204 under any subsequent version of LEED;

205 (c) In achieving its LEED rating, the whole building, base
206 building, or tenant space must earn the point for Energy and

207 **Atmosphere Credit Number Three, or the equivalent points under any**
208 **subsequent version of LEED;**

209 **(d) The taxpayer has obtained and filed a preliminary credit**
210 **certificate issued provided under subsections 8 to 11 of this section;**
211 **and**

212 **(e) The building is in service, as shown by a certificate of**
213 **occupancy.**

214 **(2) For each component eligible to receive credit under**
215 **subsection 4 of this section, once construction is complete and an**
216 **occupancy certificate is received, such credit component amount shall**
217 **be allowed for each of the next four succeeding taxable years provided**
218 **that the taxpayer obtains an eligibility certificate that meets all**
219 **requirements for an eligibility certificate as described in paragraph (b)**
220 **of subdivision (3) of subsection 10 of this section.**

221 **(3) The taxpayer shall file the eligibility certificate and the**
222 **preliminary credit component certificate, with the claim for**
223 **credit. Allowable costs in this subsection and for all five years that the**
224 **credit may be available shall not exceed, in the aggregate, the amount**
225 **determined pursuant to subsections 6 and 7 of this section.**

226 **6. For tax years beginning on or after January 1, 2008, the tax**
227 **credits authorized under this section may be used to satisfy taxes owed**
228 **under chapters 143, 147, and 148, RSMo, excluding sections 143.191 to**
229 **143.265, RSMo, in the tax year the credit is issued. Tax credits issued**
230 **under this section shall be refundable and may be transferred, sold, or**
231 **assigned by notarized endorsement, which names the transferee. In no**
232 **case shall the aggregate amount of all tax credits issued under this**
233 **section exceed one million dollars per tax year.**

234 **7. Within one hundred twenty days of the enactment of this act,**
235 **the department shall promulgate rules, in accordance with the**
236 **provisions of this section, to:**

237 **(1) Determine the amount of green building tax credit available**
238 **to a taxpayer based on the following:**

239 **(a) The amount of floor space in the building;**

240 **(b) The square footage of the building;**

241 **(c) The level of LEED rating achieved by the building, Silver,**
242 **Gold, or Platinum, with higher ratings corresponding to greater tax**
243 **credits; and**

244 (d) Whether the building is located in an economic development
245 area with a higher tax credit corresponding to those buildings located
246 in an economic development area;

247 (2) Determine allowable credit for each of:

248 (a) The whole green building credit component;

249 (b) The base green building credit component; and

250 (c) The green tenant space credit component.

251 8. (1) Prior to construction of a proposed facility, an applicant
252 may apply to the department for preliminary certification if the
253 applicant will be the owner or contract purchaser of the facility at the
254 time of construction.

255 (2) An application for preliminary certification shall be made in
256 writing on a form prepared by the department and shall contain:

257 (a) A statement that the applicant plans to construct a facility
258 that meets the requirements under subsection 5 of this section;

259 (b) A detailed description of the proposed facility and its
260 operation and information showing that the facility will operate as
261 represented in the application;

262 (c) The estimated start and finish date of the construction of the
263 facility;

264 (d) Evidence of official registration in the LEED system; and

265 (e) Any other information determined by the director to be
266 necessary prior to issuance of an initial certificate.

267 (3) The director may allow an applicant to file the preliminary
268 application after the start of the construction of the facility if the
269 director finds that filing the application before the start of
270 construction is inappropriate because special circumstances render
271 filing earlier unreasonable.

272 (4) If the director determines that the proposed construction is
273 technically feasible and should operate in accordance with the
274 representations made by the applicant, and is in accordance with the
275 provisions under subsection 5 of this section and any applicable rules
276 or standards adopted by the director, the director shall issue a
277 preliminary credit certificate approving the construction of the
278 facility. The preliminary credit certificate shall state the following:

279 (a) The first taxable year for which the credit may be applied;

280 (b) The expiration date of the tax credit. Such expiration date

281 may be extended at the discretion of the director in order to avoid
282 unwarranted hardship; and

283 (c) The maximum amount of the total credit allowed and the
284 maximum amount of credit allowed in any single tax year.

285 (5) If the director determines that the construction does not
286 comply with the provisions under subsection 5 of this section and
287 applicable rules and standards, the director shall issue an order
288 denying certification.

289 9. (1) To change a project that has already received preliminary
290 certification, the applicant shall file a written request to the director
291 which states:

292 (a) A detailed description of the changes;

293 (b) The reasons for the changes; and

294 (c) The effects that the changes will have on the amount of tax
295 credit stated by the preliminary certification.

296 (2) The director shall make the determination as to whether the
297 changed project complies with the requirements under subsection 5 of
298 this section.

299 (a) If the changed project complies with the requirements under
300 subsection 5 of this section, then the director shall issue an amended
301 preliminary certification.

302 (b) If the changed project does not comply with the requirements
303 under subsection 5 of this section, then the director shall issue an order
304 that revokes the preliminary certification.

305 10. (1) No final certification shall be issued by the director under
306 this subsection unless the facility was constructed under a preliminary
307 certificate of approval issued under subsection 8 of this section.

308 (2) An applicant may apply to the department for final
309 certification of a facility:

310 (a) If the department issued preliminary certification for the
311 facility under subsection 8 of this section; and

312 (b) After completion of construction of the proposed facility.

313 (3) An application for final certification shall be made in writing
314 on a form prepared by the department and shall contain:

315 (a) A statement that the conditions of the preliminary
316 certification have been complied with;

317 (b) An eligibility certificate from the project architect or

318 professional engineer licensed to practice in the state of Missouri that
319 consists of:

320 a. A certification by the United States Green Building Council
321 that the building with respect to which the credit is claimed is LEED
322 certified;

323 b. A statement of the level of LEED performance achieved by the
324 building to permit determination of the proper credit amount under
325 subsection 6 of this section;

326 c. A certification that, in achieving its LEED rating, the building
327 has earned at least four LEED points for Energy and Atmosphere Credit
328 Number One; and

329 d. A certification that, in achieving its LEED rating, the building
330 has earned the Energy and Atmosphere Credit Number Three;

331 (c) A statement that the facility is in operation; and

332 (d) Any other information determined by the director to be
333 necessary prior to issuance of a final certificate, including inspection
334 of the facility by the department.

335 11. (1) The director may order the revocation of the final
336 certificate issued under subsection 10 of this section if the director
337 finds that:

338 (a) The certification was obtained by fraud or misrepresentation;
339 or

340 (b) The holder of the certificate has failed substantially to
341 construct the facility in compliance with the plans, specification, and
342 procedures in such certificate.

343 (2) As soon as the order of revocation under this subsection
344 becomes final, the director shall notify the department of revenue of
345 such order.

346 (3) If the certificate is ordered revoked pursuant to paragraph
347 (a) of subdivision (1) of this subsection, all prior tax credits provided
348 to the holder of the certificate by virtue of such certificate shall be
349 forfeited, and upon notification under subdivision (2) of this subsection,
350 the department of revenue immediately shall proceed to collect those
351 taxes not paid by the certificate holder as a result of the tax credits
352 provided to the holder under this section.

353 (4) If the certificate is ordered revoked pursuant to this
354 subsection, the certificate holder shall be denied any tax credit under

355 **this section in connection with such facility after the date that the**
356 **order of revocation becomes final.**

161.360. 1. **Subject to appropriation from general revenue, the**
2 **department of elementary and secondary education shall provide**
3 **grants after July 1, 2008, to assist local public school districts obtain**
4 **LEED certification as such term is defined in section 8.800, RSMo, for**
5 **new construction or substantial renovation of public school buildings.**

6 **2. Preference for the green school grants under this section shall**
7 **be given to schools that are designed to function as community centers**
8 **of learning and that incorporate concepts of sustainability into its**
9 **curriculum.**

10 **3. The department shall promulgate rules by July 1, 2008, for the**
11 **green school grants authorized under this section. Any rule or portion**
12 **of a rule, as that term is defined in section 536.010, RSMo, that is**
13 **created under the authority delegated in this section shall become**
14 **effective only if it complies with and is subject to all of the provisions**
15 **of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This**
16 **section and chapter 536, RSMo, are nonseverable and if any of the**
17 **powers vested with the general assembly pursuant to chapter 536,**
18 **RSMo, to review, to delay the effective date, or to disapprove and annul**
19 **a rule are subsequently held unconstitutional, then the grant of**
20 **rulemaking authority and any rule proposed or adopted after August**
21 **28, 2007, shall be invalid and void.**

22 **4. The cumulative total of all grants under this section awarded**
23 **per fiscal year shall not exceed five hundred thousand dollars.**

324.418. 1. **The certificate of registration issued biennially to a registered**
2 **interior designer pursuant to sections 324.400 to 324.439 shall be renewed on or**
3 **before the certificate renewal date accompanied by the required fee. The**
4 **certificate of registration of a registered interior designer which is not renewed**
5 **within three months after the certificate renewal date shall be suspended**
6 **automatically, subject to the right of the holder to have the suspended certificate**
7 **of registration reinstated within nine months of the date of suspension if the**
8 **person pays the required reinstatement fee. Any certificate of registration**
9 **suspended and not reinstated within nine months of the suspension date shall**
10 **expire and be void and the holder of such certificate shall have no rights or**
11 **privileges provided to holders of valid certificates. Any person whose certificate**
12 **of registration has expired may, upon demonstration of current qualifications and**

13 payment of required fees, be reregistered or reauthorized under the person's
14 original certificate of registration number.

15 2. Each application for the renewal or reinstatement of a registration
16 shall be on a form furnished to the applicant and shall be accompanied by the
17 required fees and proof of current completion of at least one unit every two years
18 of approved or verifiable continuing education in interior design or architecture,
19 immediately prior to such renewal or reinstatement. Ten contact hours
20 constitutes one continuing education unit. Five contact hours of teaching in
21 interior design or architecture constitutes one continuing education unit. One
22 college course credit in interior design or architecture constitutes one continuing
23 education unit. **One college course credit in green building design**
24 **constitutes one continuing education credit.**

327.412. Architects, landscape architects, and professional
2 **engineers licensed under this chapter shall be allowed to complete**
3 **college courses, correspondence courses, or other courses approved by**
4 **the board relating to green building design as credit toward the**
5 **continuing education requirements for each prospective profession.**

640.157. The office of sustainability is hereby created within the
2 **department of natural resources. The office shall employ staff as**
3 **needed to carry out its functions which shall consist of, at minimum,**
4 **one full-time equivalent sustainability program coordinator. The office**
5 **of sustainability shall:**

6 (1) **Consult and cooperate with other state agencies to serve as**
7 **a technical advisor on sustainability issues, including but not limited**
8 **to, renewable energy use and green building design and construction;**
9 **and**

10 (2) **Provide technical assistance to local governments, businesses,**
11 **school, and homeowners on sustainability issues, including but not**
12 **limited to, renewable energy use and green building design and**
13 **construction.**

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